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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 13th December, 1961 :—

Issue No.	No. and Date	Issued by	Subject .
132	G.S.R. 1461, dated 9th December, 1961.	Ministry of Food and Agriculture	Amendment of the Rice (Madhya Pradesh) Price Control Order, 1961.
	G.S.R. 1462, dated 9th December, 1961.	Do.	Amendment of the Rice (Punjab) Second Price Control Order, 1960.
133	G.S.R. 1483, dated 13th December, 1961.	Do.	Amendment of the Fertiliser (Control) Order, 1957.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (1)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

**MINISTRY OF LAW
(Department of Legal Affairs)**

New Delhi, the 7th December 1961

G.S.R. 1485.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating

the method of recruitment of staff under the Election Commission, New Delhi, namely:—

1. Short title.—These rules may be called the Election Commission (Recruitment of staff) Rules, 1961.

2. Definition.—In these rules, "Commission" means the Election Commission appointed under article 324 of the Constitution.

3. Application.—These rules shall apply to the posts under the Election Commission as specified in column 2 of the Schedule annexed hereto.

4. Number, classification and scale of pay.—The number of posts, their classification and the scales of pay attached to them shall be as specified in columns 3 to 5 of the said Schedule.

5. Method of recruitment, age limit and other qualifications.—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 6 to 14 of the Schedule aforesaid:

Provided that the maximum age limit may be relaxed in the case of persons belonging to Scheduled Castes/Tribes, displaced persons and other special categories in accordance with the orders issued by the Government of India from time to time.

6. Disqualification.—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the lifetime of such spouse shall be eligible for appointment to service, and

(b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

Schedule

Name of posts	No. of posts	Its classification whether gazetted or non-gazetted	Scale of pay	Whether a selection post or a non-selection post	Age limit for direct recruitment	Educational and other qualifications required	Whether age and educational qualifications if prescribed for any direct recruitment apply in case of recruitment by promotion/transfer	Period of probation if any	Method of recruitment i.e. whether by direct recruitment, by promotion or by transfer and percentage of vacancies to be filled by the various methods	In case of vacancies filled by promotion/transfer, grades from which promotion/transfers are to be made	Circumstances in which U.P. S.C. is to be consulted in making recruitment	Remarks
I	2	3	4	5	6	7	8	9	10	11	12	13
Rs.												
Hindi-Assistant	i Class III— Non-gazetted— Ministerial.	210—10— 290—15— 320—EB—15 —425.	Non-selection post	Minimum 19 years and maximum 23 years.	Intermediate/Higher secondary Certificate or equivalent qualification with Hindi as one of the subjects, and with a minimum speed of 25 words per minute in Hindi typewriting.	Age qualification not to apply. Educational qualification to apply to the extent mentioned in column 12	Two years	By promotion, failing which by direct recruitment.	By promotion of (a) the Hindi typist, and (b) a clerk possessing the qualifications prescribed for the post of Hinditypist having three years' service in these grades.	..		
Hindi Typist	i Class III— Non-gazetted— Ministerial.	110—3—131 —4—155— EB—4—175 —5—180	..	Minimum 18 years and maximum 21 years.	Matriculation examination or its equivalent with Hindi as one of the subjects and	Only educational qualifications apply.	Two years	By direct recruitment, failing which by transfer.	By transfer of clerks of equivalent grades from other Central Govt. offices.			

1	2	3	4	5	6	7	8	9	10	11	12	13
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Staff Car Driver	with a minimum speed of 25 words per minute in Hindi typewriting.											
	1 Class III- Non-gazetted Non-Minister- ial,	110—3—131 —4—139	..	Minimum 25 years and maximum 35 years.	<i>Essential</i> :— Professional skill in driving, knowledge of motor mechanism. Should hold a valid driving licence for cars and heavy vehicles with at least 4 years experience in driving. <i>Desirable</i> :— A pass in Middle School Standard (in English or in Hindi).	Not applic- able	Two years	By direct recruitment.	Preference will be given to Class IV employees on the regular establishment of the Election Commission. Where no suitable person is available, recruitment will be made through Employment Exchange.	Not applicable.	..	

For the purposes of the quota allotted to scheduled castes and Tribes, the post will be included in the Class IV Staff of the Election Commission, and where the strength of the

Scheduled Castes and Tribes in such Class IV staff inclusive of this post is not sufficient in order to fulfill the quota, recruitment shall be made from among Scheduled Castes and Tribes through the Employment Exchange.

[No. F. 4(18) 61-Election]

A. S. LOKANATHAN, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 15th December 1961

G.S.R. 1486.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

CHAPTER I—Preliminary

1. Short title and commencement.—(1) These rules may be called the Indian Foreign Service (Pay, leave, compensatory allowances and other conditions of service) Rules, 1961.

(2) They shall come into force with effect from the first day of April 1962.

2. Application.—These rules shall apply to—

- (i) all persons who have been, or may hereafter be, appointed to the Service; and
- (ii) any other officer of an All India Service or of a Central Civil Service, Class I, who has been permanently seconded to the Service subject to the option, if any exercised by such officer under the provisions of the Indian Foreign Service Rules, 1954.

3. Definitions.—(1) In these rules, unless the context otherwise requires—

- (i) “approved route” means the route approved by the Government for travel between any two stations or for a particular journey in question and laid down either in a general or special order;
- (ii) “Charge d’Affaires ad interim” means a person who, in the absence of the Head of Mission, has been designated to be in temporary charge of an Indian Embassy, High Commission, Legation or Special Mission abroad;
- (iii) “entitled Indian servant” means the Indian domestic servant whom a member of the Service is required to maintain while posted abroad, and whose passages are paid by the Government;
- (iv) “Government” means the Central Government;
- (v) “Head of Mission” means any person who has been formally accredited to a foreign Government with which India has diplomatic relations, or any person who represents the President or the Government of India at a special Mission;
- (vi) “Head of Post” means any person who, not being a Head of Mission, has been placed in a charge of a diplomatic, commercial, consular or information post in a foreign country or territory;
- (vii) “member of the Service” means an officer who has been, or may hereafter be, appointed to the Service and includes an officer being a member of an All India Service or of a Central Civil Service, Class I, who has been permanently seconded to the Service;
- (viii) “Non-career Head of Mission or Post” means any person who, not being a member of the Service, is appointed as Head of Mission, or as Head of Post;
- (ix) “Place of entry into India” means, except where the Government specifically otherwise prescribe—
 - (a) in respect of travel by air, the first airport within India on the approved air route at which the plane by which an officer is travelling makes a scheduled halt; and
 - (b) in respect of travel by sea or inland waterway, the first port or place of landing, on the approved route, within the borders of India at which the vessel makes a scheduled halt; and
 - (c) in respect of travel by road or rail, the first place in India, on the approved route, at which the officer travelling by road or rail finally enters India.

Explanation.—Where the route involves crossing and recrossing the Indian border, the place of entry into India is that place where he first reaches India without the necessity of again recrossing the border into foreign territory;

(x) "Place of exit from India" means, except where the Government specifically otherwise provide—

- in respect of journey by air, the last airport in India, on the approved air route, at which the plane by which the officer is travelling makes a scheduled halt in India before leaving the territory of India;
- in respect of travel by sea or inland waterway, the last port place of embarkation in India, on the approved route, at which the vessel makes a scheduled halt before finally leaving the shores of India;
- in respect of travel by road or rail, the last place within India, on the approved route, which the officer touches before crossing the borders of India into foreign territory for the first time;

(xi) "Resident Charge d' Affaires" means a person who is resident in, and in day-to-day charge of, a diplomatic, commercial, consular or information post in a country to which a Head of Mission, not resident in that country, has been accredited;

(xii) "Service" means the Indian Foreign Service, Branch 'A'.

(2) All expressions used in these rules and defined in the Fundamental and Supplementary Rules, but not defined in these rules shall have the same meaning as those respectively attributed to them by the Fundamental and Supplementary Rules.

(3) Except where the context otherwise requires, Heads of Posts, Resident Charges d' Affaires and Charges d' affaires ad interim may exercise all or any of the powers conferred by these rules and shall be subject to all obligations imposed by these rules on a Head of Mission:

Provided that nothing in this sub-rule shall affect the entitlement of the Head of Post or other officer to pay, allowances and other concessions otherwise admissible to him under the provisions of these rules:

Provided further that the Government may, by general or special order provide that the provisions of all or any of these rules shall apply to a particular Head of Post as if such Head of Post were a Head of Mission:

Provided further that this sub-rule shall not apply to officers below the rank of First Secretary who may be appointed Charge d' Affaires ad interim.

CHAPTER II—Grade of Pay

4. Grades and Pay Scales.—(1) Any post borne on the cadre of the Service shall be in one of the following time scales or in one of the grades above the time scale as laid down below:

- Junior Scale—Rs. 400—400—500—40—700—E.B.—30—1000.
- Senior Scale—Rs. 900 (6th year or under)—50—1300—1300—60—1600—100/2—1800.
- Grade V—Rs. 1800—100—2000.
- Grade IV—Rs. 2250/-
- Grade III—Rs. 2500/-
- Grade II—Rs. 2750/-
- Grade I—Rs. 3000/-.

NOTE.—Grades I & II consist of Heads of Missions.

Grades III and IV consist of Heads of Missions and Heads of Posts and Ministers not being Heads of Missions.

Grade V consists of Heads of Missions and posts and Counsellors.

The posts borne on the Senior scale are Consuls General, Trade Commissioners, Consuls, First Secretaries, Assistant Trade Commissioners.

The posts borne on the Junior Scale are Vice Consuls, Second Secretaries, Assistant Trade Commissioners, Third Secretaries and Attachés.

(2) Where, before the commencement of these rules, a member of the Service has been granted or allowed to retain, in lieu of the senior scale or the junior scale referred to in sub-rule (1), a different scale of pay, the officer concerned shall continue to draw pay in that scale as a personal concession to him so long as he is not promoted to the next higher grade or scale. On such promotion, however, he shall be brought on to the relevant grade or the scale prescribed in sub-rule (1).

(3) On first appointment to the Service, otherwise than on promotion from the Indian Foreign Service, Branch 'B' or the Indian Information Service, the pay of the officer concerned shall be the minimum in the junior scale of the Service.

(4) Where an officer who holds a substantive post in Grade I of the Indian Foreign Service, Branch 'B' or the Indian Information Service is promoted to the senior scale of the Service, his pay shall be fixed at the stage in the senior scale of the Service which corresponds to his substantive pay in Grade I of the Indian Foreign Service, Branch 'B' or the Indian Information Service or where there is no such stage, at the next lower stage, the difference between the pay so determined and his substantive pay being made up by the grant of equivalent personal pay which will be absorbed in future increments and/or increases in pay.

(5) Except as provided in sub-rule (2), where a member of the Service drawing pay in the junior scale is promoted to the senior scale of the Service, and the pay drawn by him immediately before such promotion is on any stage specified in column (2) of Appendix I to these rules, his pay in the senior scale shall be fixed at the stage specified in column (3) thereof against that stage. The date of his promotion shall not, however, affect the date of his annual increment.

(6) Nothing contained in this rule shall affect the initial pay already fixed in the junior or senior scale of the Service in respect of any member of the Service who was in the Service immediately before the commencement of these rules.

5. Pay on appointment in India.—(1) A member of the Service appointed to hold a post specified in column (1) in Appendix II to these rules shall, for so long as he holds that post, be entitled to draw the pay and special pay specified in columns (2) and (3) thereof against that post:

Provided that where a member of the Service is appointed to a post in India which is not included in column (1) of the said Appendix, Government may make a declaration that the post is equivalent in status and responsibility to a post specified therein and his pay and special pay, if any, shall be the same as that of the post to which it is declared equivalent:

Provided further that where the Government decides that no such equation is possible, it may regulate his pay by a special order.

(2) The provisions contained in sub-rule (1) shall not apply to a member of the Service who is allowed to retain a scale of pay other than the senior or junior scale of the Service by virtue of the provisions contained in sub-rule (2) of Rule 4. The pay of such officers shall be regulated by special orders made in this behalf by the Government.

(3) Where an officer is a member of the Service by reason of permanent secondment to the Service from an All-India Service or a Central Civil Service, Class I, and where the provisions of article 314 of the Constitution are or have been made applicable to the officer, that officer shall, while holding a post in India, draw such pay as he would have drawn had he not become a member of the Service.

(4) Notwithstanding the provisions contained in this rule, an officer appointed originally by the former Secretary of State, whose pay on subsequent secondment to the Service is regulated under sub-rule (2) of rule 4 and to whom the provisions of article 314 of the Constitution are applicable shall while holding a post in Missions abroad, be allowed to draw the pay admissible to him in the junior or senior time-scale of his parent service, or the pay admissible to him in the scale of pay attached to the post under sub-rule (1) of rule 4 whichever is higher.

6. Regulation of Increments.—(1) Except as provided in sub-rule (2), the increment provided for in the senior or the junior time scale of the Service, shall become admissible to an officer on the expiry of each year's Service from the date of his appointment to the Service and in the manner specified in appendix I to these rules. In the case of officers appointed in, or promoted to Grade V of the Service, the increments provided for in that Grade will fall due on the completion of each year's service in that Grade:

Provided that where, before the commencement of these rules, the date of increments of any officer has been laid down in any general or special order of the

Government, the increment due to the officer shall accrue on the expiry of each year from such date of the increment.

(2) Where, on his appointment to the Service, the pay of an officer has been fixed in the senior time scale of the Service under sub-rule (4) of rule 4, his next increment will fall due on the date on which it would have accrued in Grade I of the Indian Foreign Service Branch 'B' or the Indian Information Service, or on the date on which it accrues under sub-rule (1), whichever is earlier. The subsequent increments in the senior scale of the Service shall fall due on the expiry of the usual period of service from the date of the first increment.

(3) The Government may direct the payment of not more than two advance increments to officers in the junior scale of the Service during their probation on the completion of the prescribed departmental examinations. These advance increments shall not affect the date of the drawal by such officers of future increments or the fixation of their pay in the senior scale.

(4) The Government may also direct that increments may be withheld from officers during their probation in the junior scale of the Service for failure to pass the prescribed departmental examinations:

Provided that such withholding of increments shall not have any cumulative effect after the officer has passed such examinations.

CHAPTER III—Foreign Allowance and Representational Grant

7. Foreign allowance.—A member of the Service serving outside India may be granted a foreign allowance at such rates and subject to such conditions as may be prescribed by the Government from time to time.

8. Representational grant.—A member of the Service serving outside India shall further be entitled to receive an annual representational grant to cover the cost of representational expenditure. The Government may by general or special order direct how this grant is to be expended.

9. Concurrent Accreditation grant.—A Head of Mission accredited to more than one country may be paid an additional representational grant.

10. Reduction of foreign allowance and representational grant during absence.—During the absence of a member of the Service from his post abroad on leave, on deputation to another station, or on consultation duty, the Government may determine the reductions, if any, in the foreign allowance and representational grant.

11. Charge d' Affaires allowances.—During the absence from his post abroad of a Head of Mission, the Government may permit the Charge d' Affaires ad interim to utilise a portion of the Head of Mission's foreign allowance and representational grant for meeting the additional expenses consequent on his being so appointed.

CHAPTER IV—Children's Education Allowance and Holiday Passage

12. Children's Education Allowance.—The Government may pay an allowance towards the cost of education of not more than two children, between the ages of five and eighteen, of members of the Service posted abroad. Such allowance shall be payable whether the children are educated in India or not.

13. Children's holiday passages.—The Government may allow a member of the Service return passages for not more than two children between the ages of eight and eighteen years left behind in India and who are receiving education in recognised educational institutions there, to join their parents during their long vacation by any route they may choose:

Provided that the expenditure incurred for such passages shall not exceed that necessary for travel by the cheapest class by air, from the last airport of embarkation in India to the station of his posting abroad:

Provided further that where a station abroad is not connected by air, alternative modes of travel may be allowed:

Provided also that where a member of the Service has more than two children between the ages of eight and eighteen years receiving education in recognised educational institutions in India, and where he is entitled to avail of the Children's Holiday Passages in respect of two of his children, he shall have the option to

send his wife to India to be with the children during the long vacation in lieu of two of his children visiting their parents abroad and his wife shall be entitled—

- (i) to the payment of cost of a return air passage by the cheapest class from the place of the post to the first port of landing in India; or
- (ii) where the place of posting abroad is not linked by air with India and the journey or a part thereof has to be performed by rail road or sea, to travelling allowance by the appropriate class of the land journey and/or a sea travel passage by the appropriate class.

CHAPTER V—Outfit Allowance

14. Outfit allowance.—(1) A member of the Service shall be entitled to an initial outfit allowance subject to such terms and conditions as may be determined by the Government.

(2) The allowance shall be admissible to all members of the Service on first appointment abroad.

(3) A supplementary outfit allowance at such rate as may be specified from time to time may be granted—

- (i) once, after a period of ten years of drawing the outfit allowance under sub-rule (1); and
- (ii) on first appointment as a Head of Mission in any of the Grades V, IV or III; and
- (iii) on first appointment as a Head of Mission in Grade II or I:

Provided that such supplementary outfit allowance shall only be drawn after the lapse of a period of at least three years from the date when outfit allowance was last drawn.

(4) A special outfit allowance at such rate as may be specified from time to time may be granted to a member of the Service on appointment to specified stations where, in the opinion of the Government, the climatic conditions are sufficiently severe to warrant the purchase of special clothing and equipment:

Provided that such special outfit allowance shall not be drawn more than three times by any one member of the Service in his entire service and unless an interval of three years has elapsed since it was last drawn.

CHAPTER VI—Residential Accommodation

15. Residential accommodation.—(1) A member of the Service serving outside India shall be provided with free furnished accommodation. The scale of accommodation, which is considered appropriate to the status or grade of any officer shall be as prescribed by the Government from time to time.

(2) The Government may further prescribe from time to time a ceiling rental in respect of particular stations within which the member of the Service may be permitted to rent suitable furnished accommodation.

(3) The scale of furniture and amenities which may be provided at the Government's expense for a member of the Service shall be as prescribed by the Government from time to time.

(4) The Government may prescribe regulations regarding the maintenance and repair of residences, and the furniture thereof, whether owned by the Government or obtained on lease.

(5) The Government may prescribe conditions governing the taking of accommodation for residential purposes on lease.

(6) If a Head of Mission is satisfied that no alternative accommodation is available for a member of the Service on his first arrival at the station, he may authorise such member, his family and his entitled Indian servants to stay in hotels suitable to their respective status for such minimum period as may be necessary, but not exceeding three months. The Government may prescribe the scale of hotel accommodation for the various categories of members of the Service both when residing alone and with their families and may also further prescribe a ceiling rental for such hotel accommodation from time to time for each station. The cost of such accommodation shall be met by the Government.

16. Heating and cooling.—At such stations as the Government may determine, where extreme climatic conditions prevail, the heating and/or cooling of residences of members of the Service may be arranged at the Government's expense, on such scale and conditions and within such ceiling amounts as may be prescribed or approved by the Government.

17. Gardens.—(1) The Government may meet the expenditure on the upkeep of any garden attached to the residence of a Head of Mission or Post as may be specified by the Government from time to time.

(2) The Government may meet the expenditure for the partial maintenance of gardens (lawns and hedges) of other members of the Service in a Mission in accordance with orders issued in this behalf from time to time.

CHAPTER VII—*Travelling Allowance and Daily Allowance*

18. Sanctions for journeys.—Travelling allowance to members of the Service shall be admissible only in respect of authorised journeys which shall include the following types of journeys:—

- (a) journeys on transfer,
- (b) journeys on tour within India on temporary duty or on leave,
- (c) journeys on tour outside India,
- (d) journeys on first appointment abroad,
- (e) journeys on termination of appointment abroad,
- (f) journeys on recall to India,
- (g) journeys on home-leave, and
- (h) journeys on leave on a medical certificate subject to the provisions of rule 26.

19. Definition.—For the purpose of this Chapter, "family" means the wife or husband, as the case may be, of a member of the Service residing with him and includes:—

- (i) his legitimate children and step children residing with and wholly dependent on him; and
- (ii) under such terms and conditions as may be laid down by the Government, a hostess.

NOTE 1.—Not more than one wife is included in the term "family".

NOTE 2.—An adopted child shall be considered to be a legitimate child, if under the personal law of the member of the Service, adoption is legally recognised as conferring on it the status of a natural child.

20. Passages.—(1) The cost of passage shall either be reimbursable to a member of the Service or shall be met by the Government when he is travelling on an authorised journey.

(2) The cost of passages of the family and the entitled Indian servants shall either be reimbursable to a member of the Service or shall be met by the Government when they are travelling on an authorised journey, except for journeys specified in clauses (b) and (c) of rule 18.

(3) The Government may provide for the cost of passages of the wife or hostess of a Head of Mission accompanying him on tour within his jurisdiction.

(4) The grade of passages for a member of the Service and the entitled members of his family and Indian servants shall be laid down by the Government from time to time in respect of travel by road, rail, sea and air.

(5) The family and entitled Indian servants of a member of the Service shall accompany him on transfer or home leave except as may otherwise be provided by the Government.

21. Carriage of personal effects.—(1) A member of the Service on transfer or home-leave-cum-transfer shall be entitled to be reimbursed for the expenditure incurred for the transportation of his personal baggage direct from the last station of posting to the next station of posting within the following limits:—

- (a) (i) if he takes his family with him to the country of posting, 2,250 kilograms;

(ii) if unaccompanied by his family, 1,500 kilograms.

NOTE.—The above limits are inclusive of the free allowance allowed by the carrier on the approved route and exclusive of the weight of the car, if any, permitted to be carried under rule 23.

(b) If he is required to travel by air he may carry with him 45 kilograms (inclusive of the free allowance), the excess over the free allowance to be carried as air cargo, the whole being deducted from his entitlement under sub-clause (i) or sub-clause (ii) of clause (a).

The mode of carriage of the personal effects shall be as laid down by the Government.

NOTE.—Provided the maximum limits laid down in the above rule are not exceeded and provided, also, that the expenditure to the Government does not exceed the amount permissible by the approved route (after availing of the free allowance allowed by the carriers), a member of the Service may vary the mode of carriage of his personal effects and may also draw the actual cost of transporting his personal effects by the surface route to the new station from a place other than the old station, as for example where they were purchased *en-route* or even left behind on the occasion of a previous transfer or from any other place or from his old station to a place other than the new station.

(2) In addition to being reimbursed under sub-rule (1), a member of the Service shall be entitled to be paid such incidental expenses and insurance charges as may be prescribed by the Government. He shall also be entitled to be paid essential and inescapable storage charges actually incurred in accordance with such conditions as may be prescribed by the Government.

NOTE.—Life Insurance charges will not be reimbursed except in respect of travel by non-scheduled aircraft, duly authorised by the Government.

(3) For journeys on tour, transportation of personal effects at the Government's expense shall be limited to the free allowance permitted by the carrier, except when travelling by air outside India and the country of posting when 45 kilograms (inclusive of the free allowance) per adult ticket will be admissible subject to the condition that luggage weighing more than the permitted free allowance shall be transported as air cargo. The incidental charges which may be claimed shall only be such compulsory charges as may be levied on the officer.

(4) For journeys on tour and transfer within India, the relevant provisions of the Supplementary Rules shall apply.

(5) For journeys on transfer when a portion of the journey lies within India, the whole journey shall be governed by these rules.

(6) Journeys under clauses (d), (e), (f) and (g) of rule 18 shall qualify for purposes of drawing allowance subject to such further conditions, if any, as the Government may lay down.

22. Transfer grant.—(1) To cover the cost of incidental expenses on transfer, a transfer grant equal to half a month's pay subject to a minimum of Rs. 250 shall be given.

(2) In the event of frequent transfers or transfers within the same country, the Government may reduce the quantum of the transfer grant.

23. Carriage of personal car.—(1) The cost of transportation of one personal car shall also be admissible to a member of the Service on transfer, provided no car at the Government's expense, primarily for his official use, either at the post from which he is being relieved or at the post to which he is being transferred, was or is being provided, and subject to its being certified by the competent authority that the maintenance of a private car by him was and is necessary for the efficient performance of his duties both at the old and in the new post and also subject to such further conditions as the Government may from time to time lay down.

(2) A member of the Service may further be paid such incidental expenses and insurance charges as may be prescribed by the Government.

24. Classification of stations and home leave passage.—(1) All Missions and Posts abroad shall be classified into three categories as Category A, Category B and Category C.

(2) The normal tenure of a member of the Service at each category of post shall be as specified by the Government.

(3) Two years service at a post shall qualify for one set of home leave passages for the member of the Service, his family and entitled Indian servants. Such home leave passages may be accumulated.

(4) The first eighteen months in a tenure of three years at a category 'C' post shall qualify for one set of special home-leave passages. This set shall however not count for the purposes of sub-rule (3). Where such passages are availed of, a period of twelve months spent at the station shall not be counted for the purposes of that sub-rule, subject to such further conditions as the Government may prescribe.

25. Travelling allowance for a widow.—(1) If a member of the Service dies while serving abroad, all the travelling allowance admissible for a journey on transfer back to India, including the transfer grant, shall be admissible to his widow and/or other members of his family and entitled Indian servants, to the extent that would have been admissible if such member had been transferred to India.

(2) At the request of his widow or other members of the family, such widow or member may be allowed to draw travelling allowance for going to any other place, not exceeding the maximum entitlement under sub-rule (1).

26. Journey under Medical Certificate.—(1) Subject to the provisions of sub-rule (2), the Government may at their discretion grant travelling allowance for the journey performed without prior permission of Government of a member of the Service or of a member of his family (and when necessary with an attendant), from his place of posting to India or to such other place under medical advice as may be necessary for reasons of health or for purposes of undergoing medical treatment which is not available locally.

(2) When a member of the Service returns to his place of posting after the journey performed under sub-rule (1), the to and fro journey shall be treated as a journey on home leave and when such member does not return to his original place of posting after such journey but proceeds to a new place of posting, the journeys performed by him shall be treated as journeys on transfer in which case travelling allowance for the entitled Indian Servants shall also be admissible.

27. Daily allowance.—Daily allowance shall be admissible to members of the Service during journeys and halts away from headquarters at such rates and subject to such conditions as may be prescribed by the Government.

CHAPTER VIII.—*Joining Time, Travel Time, Temporary Duty and Emoluments during such time*

28. Joining time.—(1) Joining time or travel time shall be treated as duty.

(2) Joining time shall be reckoned as follows:—

(a) For journeys on transfer from one post to another post abroad or from a post abroad to a post in India or vice versa, the actual time spent in transit from the former place of duty to the latter place of duty, by the approved route, including certified enforced halts *en-route*, plus six days for preparation time, provided that in the event of an enforced stay at the station of departure due to non-availability of passage, the preparation time should run concurrently with the period of enforced stay.

NOTE 1.—An enforced halt shall be a halt that is certified by the Head of Mission of the country where it occurs as one that was necessary to catch the connecting onward transport.

NOTE 2.—If the journey is performed in the personal car of the member of the Service, the travel time shall be the actual time spent in transit or that admissible had the journey been performed by the approved route, whichever is less.

(b) For journeys on leave, when the member of the Service is utilising a home-leave passage the travel time shall be the actual time taken for the outward and the return journey by an approved route between the station from where he proceeds on leave and the nearest

port of disembarkation in India including certified enforced halts, if any, *en-route*. When a member of the Service utilises a set of passages from his home leave passage account, he may also be allowed to treat travel time as duty, if he spends his leave in a country other than India, subject to the condition that the travelling time thus allowed shall not exceed the time occupied by a journey to India by the approved route.

N.B.—For the purpose of this rule, the approved route for special home-leave passages shall be exclusively by air.

- (c) For journeys to join a new post on return from leave of the kind referred to in clause (b), joining time shall be reckoned under clause (a) from the place at which the member of the Service was spending his leave or from his old station as the Government may decide. If the leave taken, of whatever kind, exceeds four months or 120 days as the case may be, the preparation time of six days and the time taken in transit through India shall not be admissible.
- (d) For terminal journeys to India on retirement from a post abroad, while the actual travel time by the authorised route upto the port of disembarkation in India may be treated as duty, no preparation time shall be admissible.
- (e) For journeys on recall to India, only the actual travel time by the authorised route upto the port of disembarkation in India may be reckoned as duty and no preparation time shall be admissible.

(3) Ministry of External Affairs or, as the case may be, the Ministry of Commerce and Industry in the Government of India may grant to a member of the Service a longer period of joining time or travelling time when is admissible under sub-rule (2) in the following circumstances and to the extent mentioned against each, unless in any case the Government otherwise directs:—

(a) Overlap between the relieving and the relieved officer in a post abroad.	10 days (including 6 days of preparation).
(b) Halt on duty at any intermediate station.	7 days (his period will run concurrently with any enforced halt at that station to catch the connecting onward transport).
(c) Halt on duty at Headquarters i.e. New Delhi.	15 days.

Extended joining time under one or more of the above circumstances may be granted for one particular move.

(4) The Government may from time to time regulate the pay and compensatory allowances during joining time.

29. Temporary duty.—When a member of the Service is required to proceed on temporary duty outside his Headquarters, the Government may prescribe regulations governing the payment of compensatory allowance to such member.

CHAPTER IX—Leave and Leave Emoluments

30. Leave rules.—(1) Subject to the provisions of sub-rules (2) and (3), the Leave Rules in Section III of Chapter X of the Fundamental Rules or, as the case may be, the Revised Leave Rules, 1933, as amended from time to time, shall apply to members of the Service.

(2) The maximum amount of leave on average pay under the Fundamental Rules that may be taken at any time outside India shall be four months.

(3) The maximum amount of earned leave under the Revised Leave Rules, 1933, that may be taken at any time outside India shall be 120 days.

(4) Leave may be taken—

- (a) in the country where the Government servant is serving;
- (b) in any other country; or
- (c) in India.

(5) Travel time shall be treated as duty:

Provided that the member of the Service is permitted to take a home-leave passage to India and subject to the note below rule 28(b):

Provided further that if in lieu of home-leave and in consideration of forfeiting one set of home-leave passages, a member of the Service is allowed to take his leave elsewhere the transit time to and/or from the place of leave shall be treated as duty to the extent that it would have been had he taken his leave in India.

31. Consultation duty etc.—A member of the Service on leave in India may be required by the Government to undertake tours, refresher courses and such other duties as may be necessary. The time so spent shall be treated as duty subject to such conditions as may be prescribed by Government.

32. Additional leave.—(1) A member of the Service shall be entitled to an additional credit of leave for a period of service spent outside India save for periods spent in Bhutan, Burma, Ceylon, Nepal, Pakistan or Sikkim.

NOTE.—The term "service spent outside India" for the purpose of this rule means active service out of India and does not include travelling or joining time.

(2) The additional leave shall be maintained in a separate account.

(3) The additional leave under sub-rule (1) shall be at half the rate admissible for leave on average pay under the Fundamental Rules or for earned leave under the Revised Leave Rules, 1933.

(4) The accumulation of additional leave shall be limited to 90 days.

(5) Additional leave shall be taken only in India and shall not be granted for a period exceeding 60 days at any one time.

(6) (i) The credit of additional leave to the account of a member of the Service shall lapse on the date on which he leaves India on his last posting abroad.

(ii) Notwithstanding anything contained in clause (i), a member of the Service may be permitted by the Government to earn additional leave in respect of the period of duty at his last post.

(7) Additional leave may be combined with other forms of leave provided that the total leave on average pay, or earned leave, availed of shall not be in excess of 8 months or 180 days, as the case may be.

(8) The rates of leave salary and allowances that may be drawn during additional leave shall be the same as those laid down for leave on average pay under the Fundamental Rules, and earned leave under the Revised Leave Rules, 1933, in India.

(9) The maximum limit of leave salary after 4 months or 120 days as the case may be shall be Rs. 2,250 p.m. for a member of the Service governed by these rules provided that it will not be available if the officer is being posted from abroad to India on the expiry of leave or vice versa, and at the time of final relinquishment of charge.

33. Allowances during leave.—The Government may prescribe regulation regarding the drawal by members of the Service of compensatory allowances granted for service abroad during leave.

CHAPTER X—Language rewards and Allowances

34. Language study.—A member of the Service is expected to study as many foreign languages as he may be able to do without detriment to his other duties. He shall be confirmed in service, normally, only after passing an examination in the foreign language allotted to him for compulsory study.

35. Language allowances.—The Government may prescribe the reimbursement of normal expenses for such study, and rewards and allowances for proficiency in foreign languages.

CHAPTER XI—Retirement and Pension

36. Retirement and Pension.—(1) Unless the Government otherwise directs, a member of the Service shall retire at the age of 56 years.

(2) The Liberalised Pension Rules, 1950 shall apply to a member of the Service.

CHAPTER XII—Medical Attendance

37. Medical attendance.—(1) The Government may make regulations providing for medical attendance for a member of the Service, for members of his family, and for his entitled Indian Servants during his service abroad, whether on duty or leave or during joining time.

(2) While in India, whether on duty or leave, a member of the Service shall be governed by the terms of the Contributory Health Service Scheme if within its purview, or otherwise by the Central Services (Medical Attendance) Rules, 1944.

CHAPTER XIII—Provident Fund

38. Provident Fund.—The General Provident Fund (Central Services) Rules, shall apply to members of the Service.

CHAPTER XIV—Miscellaneous

39. Death benefits.—In the event of the death of a member of the Service or of a member of his family, or of his entitled Indian servant, the Government may provide assistance for meeting the expenses of the funeral and the repatriation of the body; and if the death be of a member of the Service, also for the retention of his accommodation, entitlement to foreign and other compensatory allowances and the return passages of his family and his entitled Indian servants to India or to another station.

40. Power to make regulations.—In addition to any matter for which regulations may be made under these rules, the Government may make regulations in regard to the enforcement of these rules and their interpretation and applicability.

41. Relaxation of rules.—Where the Government is satisfied that the application of any of these rules causes or is likely to cause undue hardship to a member of the Service, it may, after recording its reasons for so doing and notwithstanding anything contained in any of these rules, deal with the case of such member in such manner as may appear to it to be just and equitable:

Provided that the case shall not be dealt with in any manner less favourable to such member than that prescribed in these rules.

42. Interpretation.—If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

43. Certain orders and rules not to have effect and provisions for residuary matters.—(1) Where provision has been made in these rules in respect of any matter, any other orders or rules made by the Government making provision for the same or similar matters shall be deemed not to have any effect.

(2) Where any matter arises in respect of which no provision has been made in these rules, it shall be dealt with as follows:—

- (i) in accordance with the relevant provisions of any other rules specifically promulgated by the Government in respect of the Service;
- (ii) in the absence of (i) above, in accordance with any general or special or executive orders of the Government in regard to such matters; and
- (iii) if no provision referred to in clauses (i) and (ii) exists, in accordance with the provisions of Service Codes such as the Fundamental and Supplementary Rules, the Civil Service Regulations or any other set of regulations applicable to officers of similar status serving in India to the extent decided by the Government.

(3) The Government may at any time, by general or special order, make provision for any matter that has not been dealt with in these rules.

44. Power to amend or hold in abeyance.—(1) The Government may at any time, by notification in the Official Gazette, amend, vary or alter all or any of the provisions of these rules.

(2) The Government may, if it is satisfied that circumstances exist which warrant that all or any of the provisions of these rules should be held in abeyance, direct by notification in the Official Gazette that all or any of such provisions

shall be held in abeyance to such extent and for such period as may be specified therein.

45. Rules to apply to certain other persons.—Subject to such exceptions and modifications as the Government may specify by order made in this behalf, these rules shall apply in relation to

- (i) persons other than members of the Service who are appointed to posts of Heads of Missions or Heads of Posts borne on the cadre of the Indian Foreign Service in respect of any matter which pertains to or arises from the tenure of such posts and for which provision has been made in these rules; and
- (ii) persons who are members of an All India Service or of a Central Civil Service, Class I, whose services have been lent for appointment to a post borne on the cadre of the Service,

as they apply in relation to members of the Service.

46. Repeal.—(1) The Indian Foreign Service Rules, 1954, in so far as they relate to matters dealt with in these rules shall, in relation to persons to whom these rules apply, cease to be in force except as respects things done or omitted to be done.

(2) Notwithstanding the provisions of sub-rule (1) where any action the subject matter of which is dealt with in these rules, had been initiated or commenced before the commencement of these rules, and the action in respect of any matter connected therewith has continued beyond such commencement, or has been completed after such commencement, the Government may, by general or special order, prescribe to what extent the matter or matters arising from such action shall be governed by the Indian Foreign Service Rules, 1954, or by the provisions of these rules or by both.

APPENDIX I [See rule 4(5)]

Scale of Pay of the Indian Foreign Service

Year of Service (1)	Junior Scale (Monthly rates of pay in rupees) (2)	Senior Scale (Monthly rates of pay in rupees) (3)
1st	400	900
2nd	400	900
3rd	500	900
4th	540	900
5th	580	900
6th	620	900
7th	660	950
8th	700	1,000
<i>Efficiency Bar for Junior Scale</i>		
9th	730	1,050
10th	760	1,100
11th	790	1,150
12th	820	1,200
13th	850	1,250
14th	880	1,300
15th	910	1,300
16th	940	1,360
17th	970	1,420
18th	1,000	1,480
19th	..	1,540
20th	..	1,600
21st	..	1,600
22nd	..	1,700
23rd	..	1,700
24th and over	..	1,800

APPENDIX II [See rule 4 (5)]

Pay including Special Pay to be drawn by a member of the Service while holding a post in India under the Central Government

Particulars of the Post 1	Pay/Scale of Pay 2	Special Pay
		3
1. Secretary to the Government of India	Rs. 3,000/-	
2. Additional Secretary to the Government of India	Rs. 2,750/-	
3. Joint Secretary to the Government of India	Rs. 2,250/-	
4. Director	Rs. 1,800—100—2,000	
5. Deputy Secretary	Senior Scale	Rs. 300/- subject to the condition that the pay plus special pay does not exceed Rs. 2,000/-.
6. Under Secretary	Senior Scale or Junior Scale.	Rs. 200/- subject to the condition that the pay plus special pay does not exceed Rs. 1,300/-.
7. Attaché	Junior Scale	Rs. 100/- subject to the condition that a member of the Service holds this post for a period not less than two months.

No. 778-GA 61

G.S.R. 1487.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

CHAPTER I—General

1. Short title and commencement.—(1) These rules may be called the Indian Foreign Service (Recruitment, Cadre, Seniority and Promotion) Rules, 1961.

(2) They shall come into force with effect from the first day of April, 1962.

2. Definitions.—(1) In these rules, unless the context otherwise requires—

(a) “Cadre post” means a post included in the cadre of the Service and includes a temporary post which forms a temporary addition to the cadre;

(b) “Commission” means the Union Public Service Commission;

(c) “probationer” means a person appointed to the Service on probation;

(d) “Service” means the Indian Foreign Service Branch A.

(2) All expressions used in these rules and not defined herein shall have the same meaning as in the Indian Foreign Service (Pay, Leave, Compensatory Allowance and other conditions of Service) Rules, 1961.

3. Controlling Authority.—The Ministry of External Affairs in the Government of India shall be the Controlling Authority of the Service.

4. Foreign Service Board.—(1) There shall be constituted a Board called the Foreign Service Board.

(2) The Foreign Service Board shall consist of—

(i) all Secretaries to the Government of India in the Ministry of External Affairs (but not including the Secretary General);

(ii) the Secretary to the Government of India in the Ministry of Commerce and Industry; and

(iii) the Joint Secretary to the Government of India in the Ministry of External Affairs in charge of Administration, who shall be member secretary.

(3) Any three members of the Board shall constitute the quorum.

5. Functions of the Foreign Service Board.—(1) The functions of the Foreign Service Board shall be to advise the Central Government on the following matters:

- (i) Posting, transfers, and leave-cum-transfer other than those of Heads of Missions and Heads of Posts;
- (ii) all promotions in the Service up to Grade V;
- (iii) promotions to the Service from the Indian Foreign Service Branch 'B' and the Indian Information Services, in consultation with the Commission;
- (iv) grant of diplomatic status to officers posted in Indian Missions and posts abroad, whether members of the Service or not;
- (v) appointment of Charge d' Affairs, acting High Commissioners and acting Commissioners.

CHAPTER II—Cadre, Appointment and Promotions to Cadre Posts

6. Constitution of the cadre.—(1) There shall be constituted a cadre for the Service.

(2) The strength and composition of the cadre shall be as determined by the Central Government from time to time.

(3) The Central Government shall at the interval of every three years re-examine the strength and composition of the cadre and may make such alterations therein as it deems fit:

Provided that nothing in this sub-rule shall be deemed to affect the power of the Central Government to alter the strength and composition of the cadre at any other time.

(4) The cadre shall be constituted in the time scales and grades specified in rule 4 of the Indian Foreign Service (Pay, Leave, Compensatory Allowances and other conditions of Service) Rules, 1961.

7. Central Government to make appointments to cadre posts.—All appointments to the cadre posts in the Service shall be made by the Central Government in accordance with the provisions of this Chapter.

8. Power to abolish posts or hold posts in abeyance.—(1) The Central Government may abolish or hold in abeyance any permanent cadre posts:

Provided that no such post shall be abolished or held in abeyance if an officer is already confirmed against such a post and the said officer is not simultaneously provided with a lien on a similar or higher post.

(2) The Central Government may abolish or hold in abeyance at any time any temporary cadre post.

9. Appointments to cadre posts.—Posts of Heads of Missions, and of Heads of Posts in countries where there are no Heads of Missions may be filled by the Central Government at its discretion by appointment of members of the Service or of other person.

10. Deputation of members of the Service.—(1) The Central Government may at any time depute a member of the Service to a post equivalent to or higher than that held by him in the Service, in the Indian Administrative Service, the Indian Frontier Administrative Service, the Indian Foreign Service Branch 'B' or any other Central Service Class I. A member of the Service so deputed shall be held against a post in the deputation reserve:

Provided that—

- (1) the period of deputation shall not exceed three years in the first instance although the Central Government may extend the same by further periods of upto three years at a time;

(ii) the Central Government may in consideration of the deputation, appoint, in exchange, against an equivalent cadre post, an officer from the service to which the member of the Service has been deputed.

(2) The Central Government may at any time depute a member of the Service to a post equivalent to or higher than that held by him in the Service to serve under an international organisation or a foreign employer. A member of the Service so deputed shall be held against a post in the deputation reserve;

Provided that the period of deputation shall not exceed three years in the first instance, although the Central Government may extend the same by further periods of upto three years at a time.

(3) The Central Government may, if it is satisfied that no suitable member of the Service or of the Indian Foreign Service Branch 'B' is available to fill a particular cadre post, appoint thereto for a period not exceeding three years an officer of any of the services mentioned in sub-rule (1) of rule 10, even though no member of the Service is sent, in exchange, on deputation to that service.

Provided that if the Central Government is still satisfied that no suitable member of the Service is available at the end of the above period they may extend the appointment for a further period of upto three years.

11. Cadre posts to be filled by members of the Service.—Save as provided in rules 9 and 10, every cadre post of the Service shall be filled by a member of the Service.

12. Appointments and promotions of super time scale posts.—(1) Except as provided in sub-rule (1) of rule 9, there shall be no direct recruitment to Grade V or any higher Grade of the Service.

(2) Promotions to Grades I, II, III and IV of the Service shall be made on merit from among members of the Service holding posts in the next lower grade.

(3) Promotions to Grade V shall be made by selection on merit from among officers of the Service in the senior scale:

Provided that where a member of any other service is holding a cadre post in the senior scale of the Service under sub-rule (1) or sub-rule (3) of rule 10, the Central Government may promote the officer to hold a Grade V post of the Service.

13. Appointments to senior scale posts.—(1) There shall be no direct recruitment to a cadre post in the senior scale of the Service.

(2) Such number of posts in the senior scale of the Service as do not exceed ten per cent of the senior scale and higher posts in the cadre (excluding one-half of the posts of Heads of Missions and of Heads of Posts but including the leave reserve and deputation reserve, if any) shall be filled in consultation with the Commission by promotion on the basis of merit from among officers of Grade I of the Indian Foreign Service Branch 'B' who have completed at least three years of service in that grade, or officers of the Indian Information Service, who are not already members of the Indian Foreign Service Branch 'A' or Branch 'B' and have completed not less than six years in posts not lower than that of the posts of an Information Officer.

(3) All other posts in the senior scale of the Service shall be filled by promotion on the basis of seniority-cum-fitness from among officers in the junior scale of the Service who have been confirmed in that scale, subject only to the provisions of Rule 10.

14. Appointments to junior scale posts.—Subject to the provisions of Rule 10 all recruitment to a cadre post in the junior scale of the Service shall be made on the results of an open competitive examination held by the Commission in accordance with such regulations as the Central Government may from time to time make in consultation with the Commission.

CHAPTER III—Fixation of Seniority

15. Seniority.—(1) Officers already appointed to the Service before the commencement of these rules shall retain their seniority as in the Gradation List in force immediately before such commencement:

(2) The year of allotment of an officer recruited to the Service on the results of an open competitive examination held by the Commission, whether before or after such commencement, shall be the year following the year in which the said examination was held.

(3) The *interse seniority* of officers recruited to the Service on any one occasion in accordance with rule 14 shall be in accordance with the merit list compiled by the Commission.

(4) When an officer is promoted to the senior scale of the Service in accordance with sub-rule (2) of rule 13, he shall be given a year of allotment as follows:—

(i) if he is promoted from Grade I of the Indian Foreign Service Branch 'B' one corresponding to a date three years prior to the date from which he was continuously holding a post in Grade I of the Indian Foreign Service Branch 'B' or an equivalent or a higher post;

(ii) if he is promoted from the Indian Information Services—one corresponding to a date from which he was continuously holding a post in the Indian Information Services in a capacity not lower than that of an Information Officer:

Provided that clauses (i) and (ii) shall not so apply as to make any promoted officer senior to any other officer promoted under sub-rule (2) of rule 13 on an earlier occasion. In the event that this occurs, the year of allotment shall be increased to that of the lowest officer in the Gradation List promoted under sub-rule (2) of rule 13.

Provided further that the year of allotment so determined shall not be earlier than the year, 8 years preceding the date of actual promotion.

(5) As between direct recruits and promotees *interse seniority* shall depend on the year of allotment. When the year is the same, it shall depend on the date of appointment in the year on which the year of allotment is based. When the date of appointment is the same, the direct recruit or recruits shall be senior.

CHAPTER IV—Promotion and Training

16. Probation and training of direct recruits.—(1) An officer appointed under the provisions of rule 14 to the junior scale of the Service shall be on probation for a period of two years, during which he shall be required to undergo such training and pass such examinations as may be prescribed by the Central Government from time to time.

(2) The Central Government may discharge from the Service forthwith any probationer who may be found unsatisfactory during the period of probation or who fails to complete satisfactorily the prescribed course of training or to pass the prescribed examinations.

(3) The Central Government may at its discretion, extend the period of probation for such period as it may deem fit.

(4) On satisfactory completion of his probation, an officer may be confirmed in the Service.

17. Period of probation of promotees.—(1) An officer promoted to the senior scale of the Service under sub-rule (2) or sub-rule (3) of rule 13, shall be on probation for a period of two years from the date on which he is so promoted.

(2) At the end of the period of probation, if the Central Government considers that the work of the officer has been satisfactory, he may be permitted to continue to officiate in the senior scale of the Service or be confirmed against a permanent vacancy with effect from the date on which the vacancy arose.

(3) If the Central Government considers that the work of the officer during the period of probation has not been satisfactory it may—

(i) revert the officer to Grade I of the Indian Foreign Service Branch 'B' or the Indian Information Services, as the case may be, or

(ii) extend the period of probation for such further period as may be necessary, when clause (i) shall be equally applicable to the extended period.

(d) An officer promoted to any of the grades of the Service shall not be eligible for confirmation in that grade unless he has completed atleast one year of service therein.

CHAPTER V—Miscellaneous

18. Disqualification.—No person shall be appointed to the Service unless he is

- (a) a citizen of India; or
- (b) a subject of Sikkim; or
- (c) a subject of former French possession in India; or
- (d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India;

Provided that a person in category (c) or (d) is in possession of a certificate of eligibility issued in his favour by the Government of India; and that the certificate of a person belonging to category (d) shall be valid for only one year from the date of his appointment after which he shall be retained in service only, if he has become a citizen of India.

(2) No person who has more than one wife living or whose remarriage is void by reason of its having taken place during the life-time of his previous spouse, shall be eligible for appointment to the Service.

(3) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage, or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the Service.

(4) No married woman shall be entitled as of right to be appointed to the Service.

19. Eligibility for confirmation.—(1) No officer of Grade I of the General Cadre of the Indian Foreign Service Branch 'B' of the Indian Information Services shall be eligible for confirmation in the senior scale of the Service unless he has to the satisfaction of the Central Government, passed the prescribed examination or test in the compulsory language allotted to him.

(2) The Central Government may exempt from the operation of sub-rule (1) any officer who has, prior to the date of promotion to the Service, attained the age of forty-five years.

20. Interpretation.—If any question arises relating to the interpretation of those rules, it shall be referred to the Central Government whose decision thereon shall be final.

No. 779-GA/61.

G.S.R. 1488.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

CHAPTER I—Preliminary

1. Short title and commencement.—(1) These rules may be called the Indian Foreign Service (Conduct and Discipline) Rules, 1961.

(2) They shall come into force on the 1st day of April, 1962.

2. Application.—These rules shall apply to all members of the Service.

3. Definitions.—In these rules, unless the context otherwise requires,—

- (a) "Government" means the Central Government;
- (b) "member of the Service" means any officer holding a post borne on the cadre of the Service and includes a non-career Head of Mission or Post;
- (c) "Service" means the Indian Foreign Service Branch A and Branch B.

CHAPTER II—Conduct Rules

4. Provisions of Civil Services (Conduct) Rules, 1955 to apply to members of Service.—(1) Subject to the provisions of sub-rule (2), the Civil Services (Conduct) Rules, 1955 (hereinafter in this rule referred to as the said rules), shall apply mutatis mutandis to members of the Service.

(2) (a) Rule 5 of the said rules shall apply subject to the provisions of rule 18 of these rules;

(b) Rules 9 of the said rules shall apply if for the words "the Government or such authority as may be empowered by it in this behalf" occurring in that rule the words "the Head of Mission or Post" were substituted;

NOTE.—The Head of Mission or Post, as the case may be, shall report all cases arising under that rule to Government for such action as Government may deem fit;

(c) In the application of rule 10 of the said rules—

(i) the expression "gift" occurring in that rule shall be deemed to include all forms of services, passages and all other benefits rendered without cost or markedly below the normal market rate; and

(ii) gifts upto the value of Rs. 200 when received from foreigners shall be treated as of trifling value;

(d) Rule 11 of the said rules shall not apply to entertainments given and complimentary or valedictory addresses presented, to the members of the Service in the country in which they are stationed;

(e) In the application of rule 15 of the said rules, all transactions in immovable property abroad shall be entered into by members of the Service only with the prior sanction of the Government:

Provided that sub-rules (3) and (4) of that rule shall apply in relation to non-career Heads of Mission or Post only with respect of property acquired or disposed of by them during their tenure of office.

5. Entering into certain transactions.—(1) It shall be lawful for a member of the Service to open a credit account with any reputable firm of tradesmen, provided that he shall settle all accounts regularly and never permit them to become so accumulated as to be beyond his financial capacity.

(2) No member of the Service shall make purchases under hire purchase agreements without the previous sanction of the Government except in cases—

(i) where the value is Rs. 1000 or less, in each cases; and

(ii) where the financial commitment, in each case, is such as can be liquidated during his tenure of office in the country where such purchases are made.

(3) No member of the Service shall maintain or obtain an overdraft at or from a bank abroad except with the permission of the Government.

6. Foreign Exchange.—Members of the Service shall be expected to observe, scrupulously, the foreign exchange regulations of the Government of India and of the Government of the country where they are posted, and of the Government of any other country where they may be permitted to operate bank accounts.

7. Restriction on certain activity.—(1) No member of the Service may, at any time, engage in any activity which would in any way tend to impair his usefulness as a member of the Service. In any case of doubt, the orders of the Government shall be obtained.

(2) A member of the Service shall be responsible to ensure that his spouse and dependants do not in any way behave or engage in any activity that would embarrass Government to impair his usefulness as a member of the Service.

8. Intimation of Marriage.—(1) Any member of the Service who proposes to marry a person, other than of Indian nationality, shall intimate his or her intention to do so to the Foreign Secretary to the Government of India in the Ministry of External Affairs. Requests for permission to marry an alien shall be accompanied by the member's letter of resignation, for such action as may be deemed appropriate. If a member of the Service contracts marriage with an alien, without obtaining prior permission, this shall be deemed sufficient ground for his or her removal from Service. In granting permission to marry an alien, the Government may prescribe such conditions as they deem fit. One such condition may be that no decision on the letter of resignation submitted shall be taken until a period of five years from the date of marriage has elapsed. If

after the lapse of such period the letter of resignation has not been accepted it shall be deemed as no longer having any validity.

(2) In cases where sub-rule (1) does not apply, a woman member of the Service shall obtain the permission of the Government, in writing, before her marriage is solemnised. At any time after the marriage, a woman member of the Service may be required to resign from service, if the Government is satisfied that her family and domestic commitments are likely to come in the way of the due and efficient discharge of her duties as a member of the Service.

9. Divorce.—If a member of the Service becomes involved in a matrimonial suit which may, in the opinion of the Government, bring discredit upon that member or upon the Service, the Government may call upon him to resign. A member of the Service who becomes involved in a divorce suit shall notify the Foreign Secretary to the Government of India in the Ministry of External Affairs of the facts of the case at the earliest moment possible.

10. Employment after Retirement.—No member of the Service who retires from the Service shall accept employment under a foreign Government or International Organisation for at least three years from the date of his retirement, except with the prior permission of Government.

11. Employment of wife and other dependants.—(1) No member of the Service shall, while he is posted in an Indian Mission or Post abroad, permit his wife or husband, as the case may be, near relatives or any dependants to take up any employment in the country of his posting without first obtaining the prior permission of the Government or the Head of the Mission or Post, where the latter is authorised to grant such permission.

(2) The Government may specify the kind of employment which may be permitted to be taken up by such dependants and also lay down conditions which should be fulfilled for continuance in such employment.

12. Acquisition of foreign nationality.—The acquisition of foreign nationality by a member of the Service shall render him or her liable to immediate dismissal or removal from service.

13. Compliance with instructions.—A member of the Service shall comply with all orders, instructions, rules and regulations, that may have been or may be issued by the Government from time to time.

CHAPTER III—*Discipline and Control*

14. Discipline and control.—Members of the Service shall, in respect of discipline and control, be governed by the Central Civil Services (Classification, Control and Appeal) Rules, 1957, as amended from time to time:

Provided that where any member of the Service is governed by any other rule in this regard immediately before the commencement of these rules by virtue of his former service, such member shall be governed by such other rules even after such commencement.

15. Service abroad.—(1) A member of the Service shall be liable, at the discretion of the Government, to serve at any place in the world.

(2) It shall entirely be within the discretion of the Government to decide whether any member of the Service shall serve abroad or in India and no member of the Service shall be entitled as of right to a post abroad or in India, as the case may be.

CHAPTER IV—*Official Secrets and custody of official documents*

16. Official Secrets.—(1) A member of the Service is expected to acquaint himself with the provisions of the Indian Official Secrets Act, 1923, and of changes, made from time to time, in the laws relating to Official Secrets.

(2) Any offence under the Indian Official Secrets Act, 1923, committed by a member of the Service may also be treated as a disciplinary offence, for which the member may be subjected to suitable penalties, irrespective of whether he is also prosecuted for the offence in a criminal court.

NOTE 1.—The official Secrets Act, 1923, applies to all documents or information which come into the possession, custody or knowledge, of members of the Service. Any improper communication of documents or information is a criminal offence, even if the communication is made to another person in the service of Government. It is also a criminal offence if a member of the Service fails to return official documents.

NOTE 2.—No definition has been given in the Indian Official Secrets Act, 1923 of 'Official Documents' and there is no rule given in the Act as to the burden of proof on the question of whether a document or information was 'entrusted in confidence'. So far as the criminal application of the Act is concerned, it is for the court to interpret it. Government shall, however, be free to decide what shall be deemed to be 'Official Documents' and what test shall be applied to determine whether information or documents are confidential.

(3) Negligence by a member of the Service in the custody, disposal or handling, of official documents or in communicating confidential information and improper communication of confidential official documents or confidential official information in any manner is a departmental offence.

(4) All information and documents falling within the categories specified below shall, for the purposes of these Rules, be deemed to be confidential and official, unless the Government otherwise decides and the onus of proof to show, in each case, that any such information or document is not confidential or is not official will rest upon the member of the Service. In the case of information or documents not falling within the categories aforesaid, the question whether they are official or confidential will be decided by Government according to the circumstances of each case.

(a) All documents or correspondence, (and copies thereof) relating to any matter of official concern to any branch of Government or any State-Government and emanating from or addressed to—

- (i) any Indian Diplomatic Mission or Consulate or Post;
- (ii) any Ministry or other Office of the Government of India or of any State-Government.
- (iii) any Department of any Government other than the Government of India;
- (iv) any Diplomatic Mission or Consulate or Post other than an Indian Mission or Consulate;
- (v) any person in the Service of any of the Diplomatic Missions, Consulates or Posts or Government Departments referred to in (i), (ii), (iii) and (iv) above.

(b) All information relating to any matter of official concern to any branch of the Government of India or any State Government and obtained orally or from documents or observation at any of the sources specified in (i), (ii), (iii), (iv) and (v) of Clause (a).

NOTE 1.—Documents and correspondence are official and confidential under this rule in whatever form they may be addressed, e.g. 'personal', 'private', etc. It is, in fact, a common practice to send most secret information, or most confidential instructions in a letter marked Personal or Private or both Private and Personal. Similarly oral information may be official and confidential, although it may have been given casually and in a non-official manner.

NOTE 2.—The enumeration in this rule is not exhaustive. Written or oral communications from non-official persons relating to matters of official concern may often be confidential official information and, if in writing, official documents.

17. Return of Official Documents.—(1) Any failure by a member of the Service to return official documents, where their retention is not permissible under orders of the Government issued from time to time or in any instance where their return is demanded, is an offence, which may render the officer liable to disciplinary proceedings.

NOTE.—Due care shall be taken to ensure that the provisions of all the rules for the custody and handing over of Cypher documents are properly observed.

(2) Every member of the Service, when handing over charge of his post, shall ensure the handing over of all Top Secret, Secret and Confidential papers

to his successor or to any other appropriate official. Heads of Mission or Post shall compile a list of all the papers so handed over and/or received and a copy of the list shall be sent to the Government for record, in accordance with Government orders on the subject issued from time to time.

18. Improper use of experience of Members of Service.—(1) A member of the Service shall not, without the permission of the Government, publish any book or article or give any public lecture or broadcast which is based in whole or in part upon his experience as a member of the Service or upon information obtained by him as a member of the Service, except as may be required of him in his official capacity.

NOTE.—A member of the Service publishing a book or article or other publication in his personal capacity shall normally be required to obtain the permission of the Government before authorising its publication. When granting permission, the Government may require the member of the Service to give an undertaking that the contents of the book will not embarrass the Government in its relations with any other Government.

(2) The reproduction of unpublished official documents (including memoranda prepared by a member of the Service himself in his official capacity, or an official information) shall not be permitted except as may be required of the member of the Service in his official capacity.

(3) A member of the Service in publishing any book or article or in giving any public lecture or broadcast talk (whether such book, lecture, or talk is or is not based on his experience as a member of the Service or upon information obtained by him as a member of the Service) shall not refer to, or permit any reference to be made to, the position he holds or has held as a member of the Service, without the permission of the Head of the Mission or Post if he is acting in his official capacity and of the Government if he is acting in his personal capacity.

19. Ex-members of the Service.—Former members of the Service (including non-career Heads of Missions and Posts) shall remain subject to the provisions of the Indian Official Secrets Act, 1923, as regards all official documents and confidential information obtained by them while members of the Service.

20. Intimation regarding papers in possession on ceasing to be a member of the Service.—Whenever a member of the Service ceases to be such member, he shall inform the Foreign Secretary to the Government of India in the Ministry of External Affairs, of all papers in his possession which come, or may reasonably be believed to come under any of the provisions of this Chapter. The Foreign Secretary may then give directions as to the future custody and disposal of such papers. Failure by a member of the Service to comply with the provisions of this rule or with the directions of the Foreign Secretary under it, may be taken into account in fixing the amount of pension to be paid to the member.

NOTE.—A member of the Service may not, in his will, if any, bequeath to any other person papers which are covered by this Chapter, nor can he give any right to his executors or legatees to read secret papers which he could not show them in his lifetime. Members of the Service should make arrangements to secure that, on their death, all papers which might come under this Chapter are delivered to the Foreign Secretary for examination and decision as to their custody and disposal.

(No. 780-GA 61)

E. GONSALVES, Deputy Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 18th December 1961

G.S.R. 1490.—Whereas it appears to the Central Government that the property specified in the Schedule below which is vested in the Treasurer of Charitable Endowments for the State of Madras should be vested in the Treasurer of Charitable Endowments for the State of Kerala;

Now, therefore, in exercise of the powers conferred by section 12 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government hereby

directs that the said property shall be vested in the Treasurer of Charitable Endowments for the state of Kerala.

THE SCHEDULE

Security of 3 per cent conversion loan of 1946 for Rs. 8,900 held by the Reserve Bank of India, Madras, for the purpose of the administration of Brennen's endowment for a free school at Tellicherry.

[No. F. 18/13/60-Judl. II.]

B. SHUKLA, Dy. Secy.

MINISTRY OF FINANCE (Department of Revenue)

New Delhi, the 19th December 1961

G.S.R. 1491.—In exercise of the powers conferred by sub-section (2) of section 1 of the Sugarcane Cess (Validation) Act, 1961 (38 of 1961), the Central Government hereby appoints the 26th day of December, 1961 as the date on which the provisions of the said Act, except Section 5, in so far as they relate to the State of Madhya Pradesh, shall come into force.

[No. 5(6)-ST/61-II.]

G.S.R. 1492.—In exercise of the powers conferred by sub-section (2) of section 1 of the Sugarcane Cess (Validation) Act, 1961 (38 of 1961), the Central Government hereby appoints the 31st day of December, 1961 as the date on which the provisions of the said Act, except Section 5, in so far as they relate to the State of Bihar, shall come into force.

[No. 5(6)-ST/61-II.]

N. S. PANDEY, Dy. Secy.

(Department of Revenue)

New Delhi, the 23rd December 1961

CUSTOMS AND CENTRAL EXCISE

G.S.R. 1493.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Customs and Central Excise Duties Export Drawback (General) Rules, 1960

(1) in rule 2 for clause (c) the following clause shall be substituted, namely:—

"(c) 'goods' means any of the articles notified under sub-section (1) of section 43B of the Sea Customs Act 1878 or specified in the First or the Second Schedule, which are manufactured in India or the State of Pondicherry, and in the manufacture of which imported or excisable materials or both have been used";

(2) for the proviso to rule 8, the following proviso shall be substituted, namely:—

"Provided that where such goods have not already been notified under sub-section (1) of section 43B of the Sea Customs Act, 1878 or where the description of such goods has not already been specified in the First or Second Schedule, such permission shall not be granted until the goods have been so notified or their description has been so specified."

[No. 141/F. No. 34/218/61-Cus.IV.]

G.S.R. 1494.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, after the existing item at Serial Number 96 and entries relating thereto, the following shall be added namely:—

“97. Zip Fasteners.”

[No. 142/F. No. 34/287/61-Cus. IV.]

G.S.R. 1495.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the First Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, for the existing item at Serial Number 27 and entries relating thereto, the following shall be substituted, namely:—

“27. Polo Sticks

Forty-seven rupees and eighty-five paise per one hundred polo sticks.”

[No. 143/F. No. 34/174/60-Cus. IV.]

G.S.R. 1496.—The following draft of rules further to amend the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 24th January 1962.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960 after the existing item at Serial Number 101 and entries relating thereto, the following shall be added, namely:—

“102. Tar Boilers.”

[No. 145/F. No. 34/353/61-Cus.IV.]

G.S.R. 1497.—The following draft of rules further to amend the Customs and Central Excise Duties Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected

thereby; and notice is hereby given that the said Draft will be taken into consideration on or after the 24th January 1962.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960 after the existing item at Serial No. 102 and entries relating thereto, the following shall be added, namely:—

“103. Duplicators.”

[No. 146/F. No. 34/354/61-Cus.IV.]

CUSTOMS

New Delhi, the 23rd December 1961

G.S.R. 1498.—In exercise of the powers conferred by sub-section (i) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Government hereby makes the following further amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. GSR-575 (55/F. No. 34/86/60-Cus.IV) dated the 28th May, 1960, namely:—

Amendment

In the Schedule to the said notification after existing item at Serial Number 140 and entries relating thereto the following entry shall be added, namely:—

“141. Tar Boilers.”

[No. 140/F. No. 34/353/61-Cus.IV.]

G.S.R. 1499.—In exercise of the powers conferred by sub-section (i) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Government hereby makes the following further amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. GSR-575 (55/F. No. 34/86/60-Cus.IV), dated the 28th May, 1960, namely:—

Amendment

In the Schedule to the said notification, after existing item at Serial Number 141 and entries relating thereto, the following shall be added, namely:—

“142. Duplicators.”

[No. 141/F. No. 34/354/61-Cus.IV.]

L. S. MARTHANDAM, Under Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 23rd December 1961

G.S.R. 1500.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts Raw Naphtha, falling under item No. 6 of the First Schedule of the Central Excises and Salt Act, 1944 (1 of 1944), from so much of the duty of excise leviable thereon as is in excess of 5% ad valorem, provided that:—

- (i) it is proved to the satisfaction of the Collector of Central Excise that such Raw Naphtha is intended for use in the manufacture of fertilisers; and
- (ii) the procedure set out in Chapter X of the Central Excise Rules, 1944, is followed.

[No. 187/61.]

G.S.R. 1501.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts plates, sheets, circles,

strips and foils in any form or size of copper and copper alloys, zinc or aluminium, produced in Ordnance factories belonging to the Central Government and intended for consumption by the Ordnance factories or for supply to Central Government Departments, from the whole of the duty of excise leviable thereon.

[No. 188/61.]

L. M. KAUL, Dy. Secy.

(Department of Revenue)
CORRIGENDUM

New Delhi, the 11th December 1961

G.S.R. 1502.—In the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. GSR 1325, dated the 26th October, 1961, published on pages 1612 to 1617 of the Gazette of India, Part II Section 3, subsection (i) dated the 4th November, 1961.

1. At page 1613, in rule 5(i), in line 2, for "Directorate" read "Directorates".
2. In the Schedule annexed to Notification, at page 1614,
 - (i) In column 4 against item "Assistant" for 'RB' read 'EB'.
 - (ii) In column 2, against item "Lower Division Clerk/Stenotypist" for '28' read '28/6'.
 - (iii) At page 1616, in column 4 against item "Jamadar" for "Rs. 75—1—85—EB—2—95—EB—3—110" read "Rs. 75—1—85—EB—2—95".

[No. F. 14/4/59-Adm.VII(Pt.II).]

SAROOP SINGH, Under Secy.

OFFICE OF THE COLLECTOR OF CUSTOMS & CENTRAL EXCISE, COCHIN

Cochin, the 4th December 1961

CENTRAL EXCISE

G.S.R. 1503.—In exercise of the powers conferred by Rule 5 of the Central Excise Rules 1944, I hereby order that the following amendment shall be made in this Collectorate notification dated 9th April, 1961.

In the table appended thereto, for the following entries:—

				To impose following penalties for misdeclaration.
Asstt. Collr.	96-M(i)	96-S(i)	92-E(i)	(1) to demand duty at full rate.
Adjudicating Officers in accordance with their normal limits of powers.	96-M(ii) 96-M(iii)	96-S(ii) 96-S(iv)	92-E(ii) 92-E(iv)	(2) to confiscate goods. (3) to impose penalty not exceeding Rs. 2000/-.

The following entries shall be substituted :—

				To impose the following penalties for misdeclaration etc.,
Adjudicating Officers in accordance with their limits of powers.	96-M(i) 96-M(ii) 96 M(iii)	96-S(i) 96-S(ii) 96-S(iv)	92-E(i) 92-E(ii) 92-E(iv)	(1) To demand duty at full rate. (2) To confiscate goods. (3) To impose penalty not exceeding Rs. 2,000/-.

[No. IV/16/72/61-CE.POL.]

A. K. BANDYOPADHYAY, Collector.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 15th December 1961

G.S.R. 1504.—In exercise of the Powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

1. **Short Title.**—These rules may be called the Imports and Exports Trade Control Organisation (Accountant) Recruitment Rules, 1961.

2. Application.—These rules shall apply to the post of Accountant specified in column 1 of the Schedule annexed hereto.

3. Number, Classification and scale of Pay.—The number of posts, their classification and the scales of pay attached to them shall be as specified in columns 2 to 4 of the said schedule.

4. Method of recruitment, age limit and other qualifications.—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 11 of the Schedule aforesaid.

5. Disqualification.—(i) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to the said post.

(ii) No woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the said post:

Provided that the Central Government, may, if satisfied that there are special grounds for ordering, exempt any person from the operation of this rule.

SCHEDULE

Recruitment Rules for the Post of Accountant in Office of the Joint Chief Controller of Imports and Exports, Bombay

Name of post	No. of posts	Classification	Scale of Pay	Whether selection post or non-selection post	Educational and other qualifications required for direct recruitment	Age limit for direct recruitment	Period of probation and educational qualifications prescribed for the direct recruitment	Method of recruitment if any	In case of recruitment by promotion/ transfer	Circumstances in which U.P.S.C. is to be consulted	Remarks	
1	2	3	4	5	6	7	8	9	10	11	12	13
Rs.												
Accountant One		Class III (1) 270—15— Ministerial 435—EB—20 (non-Gazetted) Accountant. (2) 210—10— 290—15—320 (for non-S.A.S. Accountant.)	Selection 575 (for S.A.S.)	Not applicable	Not applicable	Not applicable	Two years	By transfer on deputation of S.A.S. Accountant failing which by promotion.	(a) Transfer. S.A.S. Accountant failing which counts of the Indian Audit and Accounts Department. (b) Promotion U.D.Cs. with 3 years service in the grade.	Not applicable		

[No. 6/87/61-Est.IV.]

S. R. BANERJEE, Under Secy.

MINISTRY OF COMMUNITY DEVELOPMENT & COOPERATION
(Department of Community Development)

New Delhi, the 13th December 1961

G.S.R. 1505.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules namely:—

1. Short title.—These rules may be called the Department of Community Development (Certain Class III and Class IV Posts) Recruitment Rules, 1961.

2. Application.—These rules shall apply for recruitment to the non-gazetted Class III and Class IV posts of the Orientation and Study Centres run by the Ministry of Community Development and Cooperation (Department of Community Development).

3. Classification and scale of pay etc.—The classification of the said posts, the scale of pay attached thereto, the method of recruitment, age limit and other matters relating to the said posts shall be as specified in columns 2 to 11 of the said Schedule:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of the candidate, belonging to the Scheduled Castes and Scheduled Tribes and other special categories of personal in accordance with the general orders of the Government of India issued from time to time.

4. Disqualification.—(1) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to any of the said posts.

(2) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the said posts.

Provided that the Central Government may, if satisfied that there are special grounds for so ordering exempt any person from the operation of this rule.

SCHEDULE I

Draft Recruitment Rules Non-Gazetted for Class III & Class IV Posts of the Orientation & Study Centres Run by the Ministry of Community Development and Cooperation (Dept. of Community Development)

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or direct recruit	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age & educational qn. prescribed for the direct recruit will apply in the case of promo-tees	Period of Probation	Method of rectt. Whether by direct recruit or transfer and % of the vacancies to be filled up by various methods	In case of recruitment by promotion/transfer, grades from which promotion on transfer to be made
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1. Head Clerk .	I	CCS Class III, Non-Gaz. Ministerial.	Rs. 210—10— 290—15—320— EB—15—425.	Selection	30—35 Years	(1) Inter/Sr. Cambridge/Higher Secondary or equivalent. (2) Knowledge of Central Govt. rules & regulations & accounting procedures for about 5 years in a Central Deptt.	Not applicable	2 yrs.	Promotion failing which direct rectt	By promotion of suitable UDC with 3 yrs. experience as UDC.
2. Artist .	I	Do.	Do.	Not applicable.	25—30 yrs.	(a) 5 yrs. diploma in Commercial Fine Arts from a recognised Institute. (b) Inter in Arts/ Science preferably.	Do.	Do.	Direct	Not applicable.
3. Stenographer	I	Do.	Rs. 130—5—160 8—200—EB— 8—256—EB— 8—280—10— 300.	Do.	18—25 Yrs.	Matric or its equivalent with the speed of 100 words p.m. in Shorthand & 40 words p.m. in typing	Do.	Do.	Direct	Do.

4. Upper Division Clerk.	t	GCS Class III, Rs. 130—5—160 Non-Gazetted Minis- terial 300. 8—280—10—	Non- Selection.	Not applicable.	Nil	Not applicable.	2 Yrs.	100% promotion	Promotion from LDCs having minimum of 3 yrs. experience.
5. Assistant Accountant	i	Do.	Do.	Not applicable.	Do.	Nil	Do.	2 Yrs.	Deputation
6. Lower Division Clerks and Steno typists.	i	Do.	Rs. 110—3—131 4—155—EB 4—175—5—180	Do.	18—21 yrs.	(a) Matric or its equivalent qualifications. (b) 30 words per minute in typing. (c) 80 words per minute in shorthand and 30 words p.m. in typing for the post of Steno-typist.	Do.	2 Yrs.	Direct
7. Computer	i	Do. Non-Ministerial.	Rs. 110—4—150 —EB—4—170— 5—180—5—200	Do.	Do.	(i) A pass in Matric or its equivalent examination. (ii) A certificate of training in facit operation and the Punch-Key Operation, from an authorised Institute. <i>Desirable</i> . Practical experience in Facit & Punch Key Operation in a reputed firm or in Govt. Office. D. Preference :—(i) A degree in Arts/Commerce (ii) Knowledge of typing	Do.	Do.	Do.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
8. Librarian .	I	GCS Class III, Rs. 130—5—160 Non-Gaz. —8—280—10— Non-Ministerial —300.	Not applicable.	21—25 yrs.	1. Matric or equivalent 2. Certificate in Library Science. 3. Preferably a graduate in Arts/Science with practical experience of at least 3 years in Public College, University Departmental Library.]	Not applicable	2 yrs.	Direct	Not applicable.	
9. Cinema Operator.	I	Do.	Rs. 125—3—131 —4—155.	Do.	25—30 yrs.	1. Matric or equivalent. (2) Licence of Cinema-Operator knowledge of handling Audiovisual Aids equipments.	Do.	Do.	Do.	Do.
10. Drivers .	3	Do.	Rs. 110—3—131 —4—139.	Do.	18—25 yrs.	(1) Middle School Standard pass. (2) Should possess a current valid licence for driving heavy vehicle (3) Should be capable to carry out minor repairs and maintenance of vehicle.	Do.	1 year	Do.	Do.
11. Junior Gestetner Operator.	I	GCS. Non-Gaz. Class IV	Rs. 80—1—85— 2—95—EB— —3—110	Non-Selection.	Not applicable.	Nil	Do. 6 months	Promotion from Peons having at least 3 yrs experience.	Promotion	

12. Head Mail	i	GCS Non-Gaz. Class IV	Rs. 80—1—85— 2—95—EB— 3—IIO.	Non-selection.	18—25 Yrs.	Nil	Not applicable.	6 months	Promotion failing which direct recruit.	Promotion from Mail having minimum 3 yrs. experience.
13. Jamadar	i	Do.	Rs. 75—90	Do.	Not applicable.	Nil	Do.	Do.	Promotion	Promotion from Peon having at least 3 years experience.
14. Peon Class Room Attendents Messengers.	..	Do.	Rs. 70—80	Not applicable.	18—25 Yrs.	Middle School pass	Do.	Do.	Direct	Not applicable.
15. Watchman	..	Do.	Do.	Do.	Do.	Nil	Do.	Do.	Do.	Do.
16. Sweepers 1	..	Do.	Do.	Do.	Do.	Nil	Do.	Do.	Do.	Do.

[No. 2/77/60-TI.]

E. B. REINBOTH, Dy. Secy.

MINISTRY OF FOOD & AGRICULTURE

New Delhi, the 14th December 1961

G.S.R. 1506.—In exercise of the powers conferred by clause 2(a) by the Vegetable Oil Products Control Order, 1947, and in partial modification of the Notifications of the Government of India in the Ministry of Food and Agriculture No. S.R.O. 1798 dated 1st November, 1952 and No. SRO 2341 dated 20th October, 1956, I hereby authorise the undermentioned officers of the Directorate of Sugar and Vanaspati of the Ministry of Food and Agriculture to exercise, subject to such instructions as may be issued by me from time to time in this behalf, the powers of the Vegetable Oil Products Controller for India under clauses 8-A and 18 of the said order, namely:—

1. Research Chemist,
2. Assistant Director (Vanaspati), and
3. Inspectors (Vanaspati).

[No. 2-VP(2)/61/736.]

L. G. RAJWADE,
Vegetable Oil Products Controller.

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 12th December, 1961

G.S.R. 1507.—The following draft of certain amendments to the Rules for regulating the use of the wharves, quays and landing places and sheds at the Port of Cochin published with the notification of the Government of India in the Ministry of Transport No. 6-PII (43)/53, dated the 20th July, 1953, which the Central Government proposes to make, in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908, (15 of 1908), is published as required by sub-section (2) of section 6 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th January, 1962.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Amendment

These rules may be called the Port of Cochin (Use of the wharves, quays, landing places and sheds) Amendment Rules, 1961.

2. In rule 8 of the Rules for regulating the use of the wharves, quays, landing places and sheds in the Port of Cochin after the words "Conservator of the Port", the words "or an Officer of the Port duly empowered by him in this behalf" shall be inserted.

[No. 6-PG (74)/61.]

New Delhi, the 13th December 1961

G.S.R. 1508.—In exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following amendment to the Vishakhapatnam Port Scale of Rates, published with the notification of the Government of India in the late Department of Commerce, No. 222-P&L(9)/31, dated the 25th July, 1931, the same having been previously published, as required by sub-section (2) of the said section, namely:—

In the Rules For Goods in Transit—Part I—Imports, for the words "Two days reckoned from the last date of discharge of cargo by the vessel in which they were imported", occurring in rule I, the words "Two days from the day following the date of completion of discharge" shall be substituted.

[No. 17-PG(59)/60-IV.]

HARBANS SINGH, Under Secy.

(Department of Transport)

(Transport Wing)

(MERCHANT SHIPPING)

New Delhi, the 13th December, 1961

G.S.R. 1509.—In exercise of the powers conferred by sub-section (3) of section 95 of the Merchant Shipping Act, 1958, (44 of 1958), and in supersession of the Notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. G.S.R. 752, dated the 23rd May, 1961, the Central Government hereby makes the following rules further to amend the Indian Merchant Shipping (Seamen's Employment Office, Calcutta) Rules, 1954, published with the Notification of the Government of India in the Ministry of Transport and Communications No. S.R.O. 3268, dated the 19th October, 1954, continued in force by clause (a) of sub-section (3) of Section 461, of that Act, namely:—

1. These rules may be called the Indian Merchant Shipping (Seamen's Employment Office, Calcutta) Amendment Rules, 1961.
2. In rule 50 of the Indian Merchant Shipping (Seamen's Employment Office, Calcutta) Rules, 1954, after clause (iii), the following clause shall be inserted, namely:—
 - (iv) (a) on his failure to respond to three call notices and to report to the Seamen's Employment Office within such period as may be prescribed from time to time by the Director General of Shipping in consultation with the Board; or
 - (b) on his failure to get selected on three consecutive occasions at the muster due to adverse reports of the Master or shipowner in respect of his ability or conduct provided that the Director, after reviewing his case under rule 42, is satisfied that there is no possibility of his being accepted by any shipowner; or
 - (c) on his failure to produce a certificate of fitness from a medical authority or any other authority prescribed by the Director General of Shipping within such period as may be fixed by him in consultation with the Board".

[No. 19-MT(11)/60.]

J. V. DASS, Under Secy.

(Department of Transport)

(Transport Wing)

(MERCHANT SHIPPING)

New Delhi, the 18th December 1961

G.S.R. 1510.—In exercise of the powers conferred by clause (e) of section 87 read with section 81 of the Merchant Shipping Act, 1958 (44 of 1958), and in supersession of all previous rules and orders on the subject, the Central Government hereby makes the following rules, namely:—

1. **Short Title & Commencement.**—(1) These rules may be called the Merchant Shipping (Certificates of Competency) Rules, 1961.
 (2) They shall come into force at once.
2. **Definitions.**—In these rules,—
 - (a) "Act" means the Merchant Shipping Act, 1958;
 - (b) "certificate" means a certificate of competency.
3. **Form of Certificates.**—A certificate of competency for any grade shall be in the appropriate form set out in the Schedule.
4. **Certificates to be numbered.**—All certificates in any one grade shall be numbered serially and prefixed by identifying letters allotted by the Director General of Shipping.
5. **Record of duplicate copies.**—(1) Every certificate shall be made in duplicate, the original delivered to the person entitled to it and the duplicate kept in the office of the Director General, a note of all orders referred to in section 82 of the Act being entered in the duplicate copy.

(2) The particulars of every certificate issued under these rules and a note of all orders made for cancelling, suspending, altering or otherwise affecting any certificate shall be entered in a register kept for the purpose.

SCHEDULE

GOVERNMENT OF INDIA CERTIFICATE OF COMPETENCY



AS

No. _____

MASTER
OF A FOREIGN-GOING SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of MASTER of a Foreign-going ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____

Countersigned.

Registered in the
Directorate General of Shipping
Bombay

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____

Issued at the Port of _____
on the _____ day of _____ 19 _____

Principal Officer,
Mercantile Marine Department

ADDITIONAL QUALIFICATIONS

NOTES:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS

No. _____

FIRST MATE
OF A FOREIGN-GOING SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of FIRST MATE of a Foreign-going ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____

Countersigned.

Registered in the
Directorate General of Shipping
Bombay

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____

Issued at the Port of _____ day of _____ 19 _____
on the _____

Principal Officer,
Mercantile Marine Department

ADDITIONAL QUALIFICATIONS

NOTES:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY
AS
SECOND MATE
OF A FOREIGN-GOING SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of SECOND MATE of a Foreign-going ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.
 Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.
 Issued at the Port of _____
on the _____ day of _____ 19 _____.
 Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS

No. _____

MASTER

OF A HOME-TRADE SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of **MASTER** of a Home-Trade ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.

Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.

Issued at the Port of _____ day of _____
on the _____ 19 _____.

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS
MATE

No. _____

OF A HOME-TRADE SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of MATE of a Home-Trade ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____

Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____

Issued at the Port of _____
on the _____ day of _____ 19 _____

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS

No. _____

FIRST CLASS ENGINEER
OF A STEAM SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of FIRST CLASS ENGINEER of a Steam Ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.
Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.
Issued at the Port of _____
on the _____ day of _____ 19 _____.
Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS
FIRST CLASS ENGINEER
OF A MOTOR SHIP

No. _____

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of FIRST CLASS ENGINEER of a Motor ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it is this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____

Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____

Issued at the Port of _____
on the _____ day of _____ 19 _____

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS

No. _____

FIRST CLASS ENGINEER
OF A STEAM SHIP AND MOTOR SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of FIRST CLASS ENGINEER Steam ship and Motor ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.
Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.
Issued at the Port of _____

on the _____ day of _____ 19 _____.
Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY
AS
SECOND CLASS ENGINEER
OF A STEAM SHIP

Issued by the
Govt. of India.

No. _____

To _____

Whereas you have been found duly qualified to fulfil the duties of SECOND CLASS ENGINEER of a Steam ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.

Countersigned,

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.

Issued at the Port of _____
on the _____ day of _____ 19 _____.

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY
AS
SECOND CLASS ENGINEER
OF A MOTOR SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of SECOND CLASS ENGINEER of a Motor ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.
Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.
Issued at the Port of _____
on the _____ day of _____ 19 _____.
Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA

CERTIFICATE OF COMPETENCY

AS

No. _____

SECOND CLASS ENGINEER

OF A STEAM SHIP AND MOTOR SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of SECOND CLASS ENGINEER of a Steam ship and Motor ship in the Merchant Navy, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.
Countersigned.Registered in the
Directorate General of Shipping,
Bombay.Director General of
Shipping.Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.
Issued at the Port of _____ day of _____ 19 _____.
on the _____ day of _____ 19 _____.
Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY
AS
ENGINE DRIVER
OF A SEA-GOING STEAM SHIP

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of ENGINE DRIVER of a Sea-going Steam ship having engines not exceeding Fifty Nominal Horse-power, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.

Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.

Issued at the Port of _____
on the _____ day of _____ 19 _____.

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY
AS
ENGINE DRIVER
OF A SEA-GOING MOTOR SHIP

Issued by the
Govt. of India.

No. _____

To _____

Whereas you have been found duly qualified to fulfil the duties of ENGINE DRIVER of a Sea-going Motor ship having engines not exceeding 282 Brake Horse-power, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.

Countersigned.

Registered in the
Directorate General of Shipping
Bombay

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.

Issued at the Port of _____
on the _____ day of _____ 19 _____.

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY
AS
SKIPPER
OF A FISHING VESSEL

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of SKIPPER of a Fishing Vessel, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.

Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.

Issued at the Port of _____ day of _____ 19 _____.
on the _____ day of _____ 19 _____.

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS
SECOND HAND
OF A FISHING VESSEL

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of SECOND HAND of a Fishing Vessel, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.

Countersigned _____

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.

Issued at the Port of _____
on the _____ day of _____ 19 _____.

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY
AS
ENGINEER
OF A MOTOR FISHING VESSEL

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of ENGINEER of a Motor Fishing Vessel, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.

Countersigned.

Registered in the
Directorate General of Shipping,
Bombay.

Director General of
Shipping.

Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.

Issued at the Port of _____
on the _____ day of _____ 19 _____.

Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.



GOVERNMENT OF INDIA
CERTIFICATE OF COMPETENCY

AS

No. _____

ENGINE DRIVER

OF A MOTOR FISHING VESSEL

Issued by the
Govt. of India.

To _____

Whereas you have been found duly qualified to fulfil the duties of ENGINE DRIVER of a Motor Fishing Vessel having engines not exceeding 282 Brake Horse-power, the Central Government in exercise of its powers under the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers enabling it in this behalf hereby grants you this Certificate of Competency.

Dated this _____ day of _____ 19 _____.
Countersigned.Registered in the
Directorate General of Shipping,
Bombay.Director General of
Shipping.Signature of the person to whom
this certificate is issued _____

Date of Birth _____

Place of Birth _____

This Certificate is given upon an Examination passed at _____
on the _____ day of _____ 19 _____.
Issued at the port of _____on the _____ day of _____ 19 _____.
Principal Officer,
Mercantile Marine Department.

ADDITIONAL QUALIFICATIONS

Notes:

- (1) A Certificate which has been cancelled or suspended should be delivered up as required by section 378 of the Merchant Shipping Act, 1958; any person who fails to do so shall be punishable with fine which may extend to Rs. 500/-.
- (2) Any person other than the holder of a certificate who comes into possession thereof is requested to transmit it forthwith to the Principal Officer, Mercantile Marine Department, Bombay/Calcutta.

[No. 3-ML(6)/61.]

N. U. RAVAL, Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 15th December 1961

S.S.R. 1511.—The following draft, of certain rules further to amend the Minimum Wages (Central) Rules, 1950, which the Central Government proposes to make in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (11 of 1948), is published as required by sub-section (1) of that section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 10th January 1962.

Any objection or suggestion which may be received from any person with regard to the said draft will be considered by the Central Government.

DRAFT RULES

1 These rules may be called the Minimum Wages (Central) Fourth Amendment Rules, 1961.

2. In Form IX-A appended to the Minimum Wages (Central) Rules, 1950,

I. Under the heading "V. Fines and Deductions"

(i) in item (i) for the words "It shall be such as may be specified by the Central Government" the words "It shall be subject to such limits as may be specified in this behalf by the Central Government" shall be substituted.

(ii) in item (iii) for the words "It shall be such as may be specified by the Central Government" the words "It shall be subject to such limits as may be specified in this behalf by the Central Government" shall be substituted.

(iii) in item (x) after the word "societies" the following shall be inserted, namely:—

"or deductions for recovery of loans advanced by an employer from out of a fund maintained for the purpose by the employer and approved in this behalf by the Central Government".

(iv) After item (xi) the following item and paragraph shall be inserted, namely:—

"(xii) deductions made with the written authorisation of the employed person (which may be given once generally and not necessarily every time a deduction is made) for the purchase of securities of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any Savings Scheme of any such Government

Every employer shall send annually a return in Form III showing the deductions from wages so as to reach the Inspector not later than the 1st February following the end of the year to which it relates".

II. Under the heading "VI Maintenance of Registers and Records"—

(i) for the words "shall maintain a register of wages" the words "shall maintain at the work-spot a register of wages in the form prescribed" shall be substituted.

(ii) after the words "Every employer shall issue wage slips" the words "in the form prescribed" shall be inserted.

(iii) for the paragraph "A muster roll shall be maintained by every employer and kept in the form prescribed" the following paragraph shall be substituted namely:—

"A muster roll, register of fines, register of deductions for damage or loss and register of overtime shall be maintained by every employer at the work-spot in the form prescribed."

(iv) for the words "Every employer shall keep exhibited at such places selected by the Inspector" the words "Every employer shall keep exhibited at the main entrance to the establishment and its office" shall be substituted.

(v) after the existing last paragraph the following paragraph shall be inserted namely:—

"Register of wages, Muster Roll, register of fines, register of deductions for damage or loss and register of overtime shall be preserved for a period of three years after the date of last entry made therein.

All registers and records required to be maintained by an employer under the rules shall be produced on demand before the Inspector provided that where an establishment has been closed, the Inspector may demand the production of the registers and records in his office or such other public place as may be nearer to the employers".

III. Under the heading "VIII claims and complaints"—

For the paragraph beginning with the words "A single application may be presented" and ending with the words "whose wages has been delayed" the following paragraph shall be substituted, namely:—

"A single application may be presented on behalf of or in respect of a group of employed persons whose wages have been delayed, if they are borne on the same establishment and their claim relates to the same wage period or periods."

[No. LWI(I)-3(33)/61.]

G.S.R. 1512.—In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby makes the following rules further to amend the Minimum Wages (Central) Rules, 1950, the same having been previously published as required by sub-section (1) of that section, namely:—

1. These rules may be called the Minimum Wages (Central) Third Amendment Rules, 1961.

2. In the Minimum Wages (Central) Rules, 1950, in rule 28, after sub-rule (5), the following sub-rule shall be inserted, namely:—

"(6) Notwithstanding anything contained in this rule, where a combined form is sought to be used by the employer to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder, an alternative suitable form in lieu of any of the forms prescribed under this rule may be used with the previous approval of the Chief Labour Commissioner (Central)".

[No. LWI(I)-3(1)/61.]

K. D. HAJELA, Under Secy.

New Delhi, the 15th December 1961

G.S.R. 1513.—In exercise of the powers conferred by section 5 read with sub-section (1) of section 7, of the Employees' Provident Funds Act, 1952 (10 of 1952), the Central Government hereby makes the following scheme further to amend the Employees' Provident Funds Scheme, 1952, namely:—

1. (1) This Scheme may be called the Employees' Provident Funds (Twelfth Amendment) Scheme, 1961.

(2) It shall be deemed to have come into force on the 24th September, 1960.

2. In the Employees' Provident Funds Scheme, 1952, in paragraph 2(f) replaced by clause 2 of paragraph 80 of Chapter X, for sub-clause (i), the following sub-clause shall be substituted, namely:—

"(i) an employee who, having been a member of the Fund, has withdrawn the full amount of his accumulations in the Fund under clause (a) or (c) of sub-paragraph (1) of paragraph 69;"

[No. 3/5/61/PF-II.]

B. K. BHATTACHARYA, Dy. Secy.